



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3873/en
SRM:med:...

2011 ASSEMBLY BILL 548

1 **AN ACT** *to amend* 35.35 (1) (a), 985.03 (1) (c), 985.08 (1), 985.08 (2) (a) and 985.08
2 (2) (b); and *to create* 985.01 (7) and 985.02 (3) of the statutes; **relating to:** the
3 typeface used, and rates charged, for publication of legal notices.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 35.35 (1) (a) of the statutes is amended to read:
5 35.35 (1) (a) The legislative reference bureau shall provide to the secretary of
6 state camera-ready electronic copy in type not smaller than 5.5 6 point Arial for the
7 printing of any enrolled proposed constitutional amendment and of each enrolled
8 resolution ordered to be printed in the official state newspaper by the president of
9 the senate for resolutions originating in the senate or by the speaker of the assembly
10 for resolutions originating in the assembly. The copy shall identify material deleted

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1 from existing law by stricken type, and material inserted into existing law by
2 underscored type.

3 **SECTION 2.** 985.01 (7) of the statutes is created to read:

4 985.01 (7) “Wisconsin newspapers legal notices Web site” means an Internet
5 Web site maintained by Wisconsin newspapers for the purpose of providing and
6 maintaining an electronic version of printed and published legal notices.

7 **SECTION 3.** 985.02 (3) of the statutes is created to read:

8 985.02 (3) The newspaper that publishes a legal notice shall, in addition to
9 newspaper publication, place an electronic copy of the legal notice at no additional
10 charge on the Wisconsin newspapers legal notice Web site.

11 **SECTION 4.** 985.03 (1) (c) of the statutes is amended to read:

12 985.03 (1) (c) A newspaper, under this chapter, is a publication appearing that
13 is published at regular intervals and at least once a week, containing reports of
14 happenings of recent occurrence of a varied character, such as political, social, moral
15 and religious subjects, designed to inform the general reader. The definition includes
16 a daily newspaper published in a county having a population of 500,000 or more,
17 devoted principally to business news and publishing of records, which has been
18 designated by the courts of record of the county for publication of legal notices for a
19 period of 6 months or more.

20 **SECTION 5.** 985.08 (1) of the statutes is amended to read:

21 985.08 (1) The fee for publishing a legal notice shall be not more than ~~14 cents~~
22 ~~per standard line for the first insertion and not more than 11 cents per standard line~~
23 ~~for each subsequent insertion~~ the rate issued by the department of administration
24 for the first and subsequent insertions per standard line. The charge for the
25 publication of a facsimile ballot shall be computed as if the area occupied by the ballot

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1 were set in standard lines. If a legal notice contains tabulated matter, then the fees
2 allowable for the area containing such matter shall be increased 50% of the standard
3 line base rate without adjustment for circulation premium. Composed matter shall
4 be interpreted as being tabular when it contains 2 or more justifications per line. The
5 ~~minimum fee for any legal notices shall be \$2. The maximum rate specified in this~~
6 ~~subsection shall be adjusted each 2 years~~ standard line rate shall be reviewed
7 annually, the adjustment, if any, to be effective on January 1 of each ~~even-numbered~~
8 year to reflect the relevant change in costs of the newspaper publishing industry as
9 ~~compared with such costs on October 1 of the 3rd year preceding that January 1~~
10 during the previous year, as determined by the department of administration in
11 consultation with representatives of the daily and weekly newspaper industry of the
12 state. In making the determination the department shall base the ~~determination~~
13 standard line rate upon the factors of wage and independent indices of newsprint
14 costs in the proportions determined by the department to be proper. No additional
15 fee may be charged for placing a legal notice on the Wisconsin newspapers legal
16 notice Web site pursuant to s. 985.02 (3).

17 **SECTION 6.** 985.08 (2) (a) of the statutes is amended to read:

18 985.08 (2) (a) All legal notices shall be in Arial type face. A standard line shall
19 be 6-point ~~Spartan lightface set~~ Arial on a 6-point slug leading without spacing
20 between the lines, and 11 picas in length. One inch equals 6 postscript pica and 72
21 postscript points. Nonstandard type faces and line lengths shall be allowed with
22 adjustments in fees according to variations in ~~type set and~~ line length. When ~~a~~
23 ~~publisher does not have, or the person or agency that places the notice~~ elects not to
24 ~~use a 6-point body type~~ Arial, a larger ~~body type~~ Arial up to 12 point may be used;
25 in which case adjustment shall be made in line rate, proportionately decreasing for

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1 sizes of type over 6–point to produce the same net average compensation per column
2 area. Such adjustments shall be evaluated by the department of administration
3 which shall certify the same to any newspaper, public official or other interested
4 party upon request, and such certification shall be presumptive evidence of the
5 correct adjustments. ~~A 5 1/2–point type face set on a 6–point slug shall be acceptable
6 in lieu of a standard line, but the rate for the 5 1/2–point type line shall not exceed
7 the rate for a standard line as set forth in sub. (1).~~

8 **SECTION 7.** 985.08 (2) (b) of the statutes is amended to read:

9 985.08 (2) (b) When camera–ready electronic copy for the entire notice or
10 substantial areas thereof is provided, eliminating typesetting, enlargements or
11 reductions, or other changes by the newspaper, the maximum rate is the same as the
12 maximum rate established under sub. (1) for subsequent insertions. ~~To qualify for
13 the subsequent insertion rate for camera–ready copy, the copy may be no larger than
14 8–point type and shall comply with the column width certified for each newspaper
15 by the department of administration under par. (a).~~

16 (END)